



January 23, 2004

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## SENATE BILL No. 374

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DIGEST OF SB 374 (Updated January 20, 2004 6:07 pm - DI 75)

**Citations Affected:** IC 5-22.

**Synopsis:** Biofuels. Requires the use of blended biodiesel fuel in state vehicles and tractors when feasible.

**Effective:** July 1, 2004.

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**Hershman, Waterman, Lewis,  
Jackman, Young R, Skillman, Howard**

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January 12, 2004, read first time and referred to Committee on Economic Development and Technology.  
January 22, 2004, amended, reported favorably — Do Pass.

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SB 374—LS 7069/DI 47+



January 23, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

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## SENATE BILL No. 374

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A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 5-22-5-8, AS ADDED BY P.L.274-2001,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]: Sec. 8. (a) This section does not apply to a political  
4 subdivision.  
5 **(b) As used in this section, "blended biodiesel" has the meaning**  
6 **set forth in IC 6-3.1-27-2.**  
7 ~~(b)~~ **(c)** As used in this section, "ethanol" means agriculturally  
8 derived ethyl alcohol.  
9 ~~(c)~~ **(d)** As used in this section, "gasohol" means gasoline that  
10 contains:  
11 (1) at least ten percent (10%) ethanol; or  
12 (2) ethyl tertiary butyl ether (ETBE) additives derived from  
13 ethanol.  
14 ~~(d)~~ **(e)** As used in this section, "gasoline fueled vehicle" refers to a  
15 vehicle that is capable of using gasoline to fuel its primary motor.  
16 ~~(e)~~ **(f)** As used in this section, "vehicle" includes the following:  
17 (1) An automobile.

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- 1 (2) A truck.
- 2 (3) A tractor.
- 3 ~~(f)~~ (g) Except as provided by subsection ~~(g)~~, (i), a governmental
- 4 body shall whenever possible purchase gasohol to fuel the gasoline
- 5 fueled vehicles owned or operated by the governmental body.
- 6 (h) Except as provided by subsection (i), a governmental body
- 7 shall whenever possible purchase blended biodiesel fuel to fuel the
- 8 diesel fueled vehicles owned or operated by the governmental body.
- 9 ~~(g)~~ (i) The following vehicles are exempt from the requirements of
- 10 subsection ~~(f)~~: subsections (g) and (h):
- 11 (1) A vehicle that is leased by the governmental body for thirty
- 12 (30) days or less.
- 13 (2) A vehicle whose official operating manual, as issued by the
- 14 manufacturer of the vehicle, contains a statement that the use of
- 15 gasohol or blended biodiesel fuel will damage the engine of the
- 16 vehicle.
- 17 (3) A vehicle that:
- 18 (A) is primarily powered by a diesel or an electric motor; or
- 19 (B) can use only propane, compressed or liquified natural gas,
- 20 or methanol as its fuel source.

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SENATE MOTION

Madam President: I move that Senator Waterman be added as coauthor of Senate Bill 374.

HERSHMAN

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SENATE MOTION

Madam President: I move that Senators Lewis and Jackman be added as coauthors of Senate Bill 374.

HERSHMAN

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SENATE MOTION

Madam President: I move that Senator Young R be added as coauthor of Senate Bill 374.

HERSHMAN

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SENATE MOTION

Madam President: I move that Senators Skillman and Howard be added as coauthors of Senate Bill 374.

HERSHMAN

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## COMMITTEE REPORT

Madam President: The Senate Committee on Economic Development and Technology, to which was referred Senate Bill No. 374, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 21 through 42.

Delete page 3.

and when so amended that said bill do pass.

(Reference is to SB 374 as introduced.)

FORD, Chairperson

Committee Vote: Yeas 10, Nays 0.

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